

## **RESOLUTION NO. 1681**

### **A RESOLUTION AUTHORIZING THE COMPLETION OF AN APPLICATION TO THE KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT REGARDING A LOAN FROM THE KANSAS PUBLIC WATER SUPPLY LOAN FUND**

**WHEREAS**, the City of Gardner, Kansas (the "City") is a duly incorporated city of the Second Class organized under the laws of the state of Kansas ( the "State") which operates a public water supply and distribution system (the "System"); and

**WHEREAS**, the City Council (the "Governing Body") of the City has heretofore determined it to be in the best needs of the customers of the System to undertake certain modifications and improvements (the "Project") to the System; and

**WHEREAS**, pursuant to K.S.A. 65-163c *et seq.* (the "Act"), the Kansas Department of Health and Environment ("KDHE") administers the Kansas Public Water Supply Loan Fund (the "Fund") from which loans are made to certain qualified Municipalities (as said term is defined in the Act) to finance modification and improvements to public water supply systems; and

**WHEREAS**, the City has heretofore made an application to KDHE for a loan in an amount not to exceed \$7,582,910 (the "Loan") to finance the Project; and

**WHEREAS**, the Governing Body has conducted a public hearing this date on the advisability of proceeding with the completion of the application for the Loan and desires to authorize the appropriate officials of the City to accomplish the completion process.

**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF GARDNER, KANSAS, AS FOLLOWS:**

**Section 1. Loan Application.** The Mayor and City Clerk of the City are hereby authorized to cause to be prepared and to execute a Loan Application, including all attachments thereto (jointly, the "Application"); in substantially the form presented to the Governing Body this date, in order to provide financing for the Project. The Application shall be forwarded to KDHE as soon as possible.

**Section 2. Further Proceedings.** The Mayor, City Clerk and the other officers and representatives of the City are hereby authorized and directed to take such other action as may be necessary to complete the Application and to coordinate processing of a loan agreement for the Loan (the "Loan Agreement"); provided that the authorization to execute the Loan Agreement shall be subject to further resolution of the Governing Body.

**Section 3. Further Authority.** This Resolution shall be in full force and effect from and after its adoption.

**Adopted** by the Governing Body of the City of Gardner, Kansas on October 3, 2005.

(SEAL)

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**Mayor**

**ATTEST:**

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**City Clerk**